

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LASHAWN RAY GREEN,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-18-1154-F
)	
ROBERT DESO, et al.,)	
)	
Defendants.)	


ORDER

United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation, recommending plaintiff, LaShawn Ray Green's 42 U.S.C. § 1983 action be dismissed with prejudice under 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted. Specifically, Magistrate Judge Mitchell determined that plaintiff's § 1983 action was barred by the applicable two-year statute of limitations and that plaintiff failed to show the availability of any tolling provision. Magistrate Judge Mitchell advised plaintiff of his right to file an objection to the Report and Recommendation on or before March 19, 2019 and further advised him that failure to file a timely objection to the Report and Recommendation waives his right to appellate review of both factual and legal issues therein contained.

Plaintiff has not filed an objection to the Report and Recommendation within the time prescribed by Magistrate Judge Mitchell. Moreover, plaintiff has not sought an extension of time to file an objection. With no timely objection being filed, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, United States Magistrate Judge Suzanne Mitchell's Report and Recommendation (doc. no. 20) is **ACCEPTED, ADOPTED** and **AFFIRMED**. Plaintiff's 42 U.S.C. § 1983 action against defendants, Robert Deso, Anna Denman, Curtis Pletcher, and John D. Doak, in their individual and official capacities, is **DISMISSED WITH PREJUDICE** under 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.

IT IS SO ORDERED this 27th day of March, 2019.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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